UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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CARMEN M. SEGARRA,

Plaintiff,

: ECF CASE

v.

: 13-CV-07173 (RA)

FEDERAL RESERVE BANK OF

NEW YORK, MICHAEL SILVA,

: ORAL ARGUMENT REQUESTED

MICHAEL KOH, and JOHNATHON KIM,

Defendants.

NOTICE OF MOTION BY DEFENDANTS TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the supporting affidavit of David Gross, Defendants Federal Reserve Bank of New York, Michael Silva, Michael Koh, and Johnathon Kim hereby move, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss with prejudice Plaintiff's Amended Complaint in its entirely for failure to state a claim upon which relief can be granted.

Dated: January 3, 2014 Thomas C. Baxter, Jr. New York, New York General Counsel and

Executive Vice President

Federal Reserve Bank of New York

33 Liberty Street

New York, NY 10045

By: /s/ Thomas M. Noone

Thomas M. Noone (TN-0616) David Gross (DG-3372)

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